

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Cincinnati Insurance Company, : Case No. 1:12-cv-00338-TSB
Plaintiff, : Judge Timothy S. Black
v. :
Actuate Corporation, : **SECOND STIPULATION AND
PROPOSED ORDER EXTENDING
CALENDAR DATES**
Defendant. :

The parties are proceeding in good faith with discovery. To date, the parties have taken seven (7) depositions in California and three (3) depositions in Cincinnati and exchanged thousands of pages of documents. The parties are also diligently working to schedule additional depositions in Chicago, Toronto, and Cincinnati over the next month. For this reason, both sides agree that additional time is needed to complete discovery beyond the March 6, 2013 deadline. One previous request has been made to continue discovery dates. It is therefore STIPULATED AND AGREED by the parties that the following deadlines contained in the Calendar Order filed January 7, 2013 (ECF No. 16) be extended as follows:

1. Fact Discovery cut off deadline: April 12, 2013;
2. Deadlines for disclosure of expert witnesses and submission of expert reports:
 - A. Disclosure and reports of experts: May 10, 2013
 - B. Disclosure and reports of rebuttal experts: June 7, 2013; and
3. Dispositive Motions to be filed on or before: April 22, 2013.

Both sides further agree that they do not expect that these dates will alter the final pretrial conference and trial dates set for August 12, 2013 and August 19, 2013,

respectively. (See entry dated September 17, 2012.) Accordingly, the parties respectfully request that the Court modify and extend certain dates to these proceedings.

The Court discloses that it may have to move the dates for the final pretrial conference and trial because of the extensions granted here.

Approved and Agreed to by:

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IT IS SO ORDERED:

s/ Timothy S. Black
Hon. Timothy S. Black, U.S.D.J.

Dated: 2/22/2013